

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

EARL DANIEL COOPER, PRO SE,	§	
also known as EARL D. COOPER,	§	
also known as EARL COOPER, JR.,	§	
also known as EARL DANIEL COOPER, JR.,	§	
TDCJ-CID No. 1541308,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:11-CV-0161
	§	
RICK THALER ET AL.,	§	
	§	
Defendants.	§	

ORDER OF DISMISSAL

Plaintiff EARL DANIEL COOPER, while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against twenty-nine defendants employed by or otherwise associated with the Texas Department of Criminal Justice, and has been granted permission to proceed *in forma pauperis*.

On January 26, 2012, a Report and Recommendation was issued by the United States Magistrate Judge recommending the instant cause be dismissed without prejudice for failure to state a claim on which relief can be granted and for refusal to comply with an order of the Court.

Plaintiff filed his Objections on February 3, 2012.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as the Objections filed by the plaintiff.

The Court is of the opinion that the objections of the plaintiff should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that the Civil Rights Complaint by EARL DANIEL COOPER is DISMISSED WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED AND FOR REFUSAL TO COMPLY WITH AN ORDER OF THE COURT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

IT IS SO ORDERED.

Signed this the 7th day of February, 2012.


MARY LOU ROBINSON
United States District Judge